CHAPTER I.

GENERAL RULES.

"No man should be insensible to public opinion who has to discharge a public trust. No man should be insensible to the value of the good opinion, if you like, the applause of his fellow-countrymen. But there is a consideration far higher than that. It is the satisfaction of your own internal sense of duty, the satisfaction of your own conscience, the knowledge that you are following the promptings of that still small voice which never, if we listen honestly to its dictates, misleads or deceives—that still small voice whose approval upholds us even though men should condemn us, and whose approval is far more precious than the honour or applause we may derive, no matter from what source—that voice whose approval makes us walk by day serene, and makes our pillow smooth by night."—LORD CHIEF JUSTICE COCKBURN.

1. **Intercourse with Natives.**—"Almost all who, from knowledge and experience, have been capable of forming any judgment upon the question, are agreed that our power in India rests on the general opinion of the natives of our comparative superiority in good faith, wisdom and strength to their own rulers. This important impression will be improved by the consideration we show to their habits, institutions, and religion; by the moderation, temper, and kindness with which we conduct ourselves to them; it will be injured by every act that offends their belief or superstition, that shows disregard or neglect of individuals or communities, or that evinces our having, with the arrogance of conquerors, forgotten those maxims by which this great empire has been established, and by which alone it can be preserved.

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"I can recollect, and I do it with shame, the period when I thought I was very superior to those with whom my duty made me associate; but as my knowledge of them and of myself improved, the distance between us gradually lessened. I have seen and heard much of our boasted advantages over them, but cannot think, that if all the ranks of the different communities of Europe and India are comparatively viewed, there is just reason for any very arrogant feeling on the part of the inhabitants of the former: nor can I join in that

common-place opinion which condemns, in a sweeping way, the natives of this country as men, taking the best of them, not only unworthy of trust and devoid of principle, but of too limited intelligence and reach of thought to allow of Europeans with large and liberal minds and education having rational or satisfactory intercourse with them.

"In our manner to the natives although it is our duty to understand and to pay every proper deference to their customs and usages, and to conform with these as far as we can with propriety, particularly on points where the religious prejudices, or the rank of those with whom we have intercourse, require it, yet we should always preserve the European, for to adopt their manners is a departure from the very principle on which every impression of our superiority that rests on a good foundation, is grounded. The European officer who assumes native manners and usages may please a few individuals, who are flattered or profited by his departure from the habits of his country; but even with these, familiarity will not be found to increase respect; and the adoption of such a course will be sure to sink him in the estimation of the mass of the community, both European and Native. One of the first points of importance is that natives, whatever be their rank, class, or business, should have complete and easy access to personal communication with their European superiors. No native servant, high or low, must be allowed the privilege of either introducing or stopping an applicant or a complainant; all such must come with confidence to the European superior, or to such assistant as he may specifically direct to receive or hear them. It is perhaps better, when the habits are so formed as to admit of it, that the natives of all classes and ranks should have admission, and be heard, at whatever hour of the day they come, except at those of meals. But where such constant intrusion is found to interrupt other business, certain portions of every day must be set aside to hear representations and complaints, and see those who desire to be seen. The establishment of direct intercourse is, in my opinion, a primary and indispensable duty, one no more dependent upon the inclination or judgment of the individual than it is to an officer whether he shall attend his parade, or to a judge whether he shall sit a certain number of hours in his Court."—*Sir John Malcolm.*

2. "The natural distance which I am afraid must always remain between Natives and English gentlemen will tend to complete the separation between the people and their rulers. Something

may be done by keeping up the simplicity and equality of Mahratta manners, and by imitating the facility of access which was conspicuous among their Chiefs. On this also the continuance of the spirit of the people and of our own popularity will probably in a great measure depend. Sir Henry Strachey, in his Report laid before Parliament, attributes many of the defects in our administration in Bengal to the unmeasurable distance between us and the natives, and adds that there is scarcely a native in his district who would think of sitting down in the presence of an English gentleman. Here every man above the rank of a Hircarra sits down before us, and did before the Peishwa: even a common ryot, if he had to stay any time, would sit down on the ground. This contributes, as far as the mechanical parts of society can, to keep up the intercourse that ought to subsist between the governors and the governed; there is, however, a great chance that it will be allowed to die away. The great means of keeping it up is for gentlemen to receive the natives often, when not on business. It must be owned there is a great difficulty in this: but it ought to be remembered that this intercourse with the natives is as much a point of duty, and contributes as much towards good government, as the details in which we are generally occupied."—*Elphinstone.*

3. "The great but almost universal error, which young men of little experience in India are apt to fall into, is to think too much of themselves and very little of the natives. This assumption of superiority often leads to a haughty and supercilious demeanour, extremely offensive to all classes, and productive of great injury to the public service; for it is only by an unreserved communication with all descriptions of persons that a knowledge of abuses is to be obtained, and the local ministerial officers kept within the line of their duty. The good sense, however, of the great majority of well educated young men who now come out to this country enables them very soon to perceive that in many of the most important branches of the service they are extremely helpless without the assistance of intelligent natives, while they at the same time observe that almost all those public officers who have most distinguished themselves, have been remarkable for having freely consulted and conversed with all classes, whose opinions and information, although they have been implicitly governed by none, have been mainly instrumental in contributing to their eminence and advancement.

" * * * When on circuits, the visits of the gentlemen of the country should always be received and encouraged as much as possible, due attention being shown to the grades of precedency and honours formerly enjoyed by them, and founded on long and received custom. To refuse them these common attentions to ceremonies is to do them a serious injury, because it is equivalent to an expression of contempt and ill-will, and tends to degrade them in the eyes of their own people. Although we may attach little importance to their forms, yet we ought to recollect the influence which ceremonies, however vain and empty, have on the minds of all natives, and what fatal consequences a deviation from established practice in this particular has sometimes produced. We have only to look back to history to find various instances in which revolutions have been brought about by discontents engendered by less considerable causes. Representing Government, we should therefore always keep in mind that our conduct, when we do not conform to the spirit of the people, reflects upon the national character, which has hitherto been considered invariably tolerant of all native habits and prejudices, whether they relate to religion, morals, or manners.

"This toleration is the more requisite when we consider the relation that subsists between them as a conquered people, and us as foreigners. If it be just to suppose that a government of strangers, who have come from a distance of half the globe, notwithstanding every wish to conciliate attachment, must still be felt as irksome if not degrading, our own interests, if not those of humanity, should dictate to us the propriety of contributing all we can towards maintaining that empire of opinion which, as far as respects our power, our justice, and our moderation, is acknowledged to be the main support of our administration. Every individual has it in his power to strengthen this tie, which unites the conquered to the conquerors, by adhering to the humanizing policy which I am endeavouring to inculcate. It is a trite but a just observation that it is as necessary to leave to a subjugated people their manners, as to let them enjoy their laws. It is in a great degree by these means that we must hope to preserve their fidelity and allegiance, and thereby cement the widely disjointed, but not dissimilar parts of our Indian sovereignty. I am fully aware of the personal sacrifices required, of the want of leisure, and above all of the difficulty we must experience in associating with the native gentry, or assimilating with their very opposite customs; but although com-

plete success is not attainable, yet, by giving up some of our own prejudices, much may be effected towards being reconciled to native manners and institutions.

"In attending to the usual forms of civility to which the natives have been accustomed, it is better to err on the safe side by yielding more, than less, of etiquette than they are entitled to. I do not mean by this concession that the dignity of the European character should be anywise compromised; but I am convinced that that dignity is best maintained by not standing up stiffly and arrogantly in matters of little moment. It may be recollected that since the change of government has inevitably deprived the native gentry of much of their consequence, it is the more incumbent on us to continue to them the form of civil intercourse, and that, although we may be apt to consider them far beneath us nothing can be more injurious and cruel than to evince this opinion, either by wilful neglect or wanton disregard of established usages. There are many peculiar circumstances of character that must prove an insuperable bar to any cordial interchange of sentiment, and some obvious defects and vicious propensities that will often provoke contempt; but when the motives are sufficiently strong we know that it is in the power of every one to govern his temper. In dealing with all classes, no one quality will stand us in more stead than patience. It has been well observed by a modern writer in England that many a man would rather you heard his story than granted his request. Those who have had experience will readily acknowledge the applicability of this remark to the natives of this country."—*Chaplin.**

4. "The principle of abstaining from all interference with the religion of the natives of India should be acted upon by our servants, civil and military. The Government is known throughout India by its officers, with whom it is identified in the eyes of the native inhabitants; and its servants should therefore be aware that while invested with public authority, their acts cannot be regarded as those of private individuals."—*Court of Directors, April* 21, 1847.

5. **Observance of Sunday.**—No public works are to be carried on, by either Government officers or contractors, on Sunday.—*Govt. Notif., Jan.* 26, 1843.

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* Mr. Chaplin succeeded Mr. Elphinstone as Commissioner of the Deccan.

6. **Observance of Sunday.**—All Courts of Justice under this Presidency, and all Revenue Offices, whether at the presidency or in the interior, and whether presided over by European or Native officers, shall be closed, and generally all official business shall be suspended, on Sundays, except such as is of urgency, or of such a nature that its discontinuance would be obviously obstructive or detrimental to the public interests.—*G. R. No.* 2386, *July* 13, 1840.

7. **Use of Public Offices.**—No public office of Government shall, on any occasion, be lent or used for the purpose of performing any rites or ceremonies of Hindoo, Mussulman, or other native religions in the same.—*Govt. Circular No.* 3056, *Nov.* 7, 1837.

8. No public office shall be used as a private residence, except with the permission of Government.—*Govt. Notif., March* 26, 1844.

9. **Public property.**—It is the duty of all public officers to take charge of public property when required so to do.—*Court of Directors, May* 16, 1838.

10. An immediate report of the disappearance of any property of Government should be made, and no part of the materials should be appropriated in any way, even for the use of Government, without previous sanction.—*Rev. Com.* (*N. D.*) *No.* 311, *February* 10, 1855.

11. Public property is never to be sold, or disposed of in any manner, without the previous sanction of Government, or of a competent authority.—*Govt. Notif. No.* 253, *April* 26, 1849.

12. **Charge of offices.**—Public Officers are not to deliver over charge of offices until relieved by their successors, unless so ordered.—*G. R. No.* 627, *Feb.* 23, 1833.

13. Public Officers delivering over and receiving charge of offices are to report the same in a joint letter.—*Govt. Notif., Oct.* 24, 1849.

14. All officers who may have to submit an annual report, and who may quit or be removed from office before the submission of that report, should leave for their successors a memorandum on the official character and merits of their subordinates."—*G. R. No.* 3019, *Aug.* 1, 1859.

15. All officers on receipt of the Government orders transferring them to other offices are to join within the allotted time, and when ordered to do so without delay are to start at once. Heads of offices are responsible for arranging that their assistants are relieved without delay.—*G. R. No.* 3127, *May* 31, *and No.* 3737, *July* 1, 1873.

16. **Age of entering Government service.**—Twenty-five is the general age beyond which persons are not allowed to enter the Government service, but Local Governments can admit any person at any age without reference to the Government of India.—*G. of I. No.* 433, *Jan.* 20, 1871, *and No.* 2400, *Aug.* 30, 1872.

17. **Establishments.**—The policy of Government is to have public servants few in number, carefully selected, and sufficiently paid.—*G. of I. No.* 1615, *April* 24, 1863.

18. Temporary establishments should be kept within the smallest possible limits, and discharged as soon as their work is at an end.—*G. of I. No.* 3561, *Sept.* 15, 1854.

19. Alterations in the distribution of salaries, and in the number or designation of the members of an establishment, are prohibited, unless sanctioned by Government.—*G. R. Feb.* 15, 1833.

20. If heads of departments, without authority, make arrangements by which the pay of one party is given to another, or if an officer only acting in an appointment is permitted, without sanction, to draw the full emoluments, the head of the department will be held personally responsible for any additional expense which may occur to the State.—*Civil Auditor's Circular No.* 531, *Aug.* 30, 1855, *with G. R.*

21. Local officers visiting the presidency on duty are not to bring with them any part of their establishments without the permission of Government.—*G. R. No.* 2646, *June* 22, 1876.

22. **Promotion.**—Merit and superior fitness for the vacant situation ought to be the ground of promotion. Length of service is, of course, an essential element in the claims of any individual and ought to decide the preference in the case of equal fitness.—*Court of Directors, G. R. No.* 10335, *Oct.* 31, 1851.

23. No officer shall offer an appointment to any *employé* in another office except through the immediate superior of the latter, and if such superior can spare the person applied for, he will com-

municate the offer to him, but not otherwise.—*Govt. Circular No.* 1910, *June* 16, 1856.

24. **Suspension.**—When native servants belonging to any public establishment are suspended by orders of any superior authority, they are not to be restored to their situation without the permission of such authority.

Government disapprove of the prolonged suspension from office of any Government servant, pending inquiry into imputed misconduct. When an officer has such grave cause of suspicion against, or distrust in, a subordinate, as in his opinion justifies him in suspending such subordinate from office, he should use every endeavour to avoid delay in the investigation of the case.—*G. R. No.* 1711, *April* 26, 1855.

25. **Forced resignation.**—Government servants in case of misconduct are not to be forced to resign their places by threats of ulterior proceedings if they should remain.—*G. R. No.* 7526, *July* 2, 1851.

26. **Fines.**—Fines levied by heads of departments from their subordinates are not to be appropriated in any way at the discretion of the officers imposing them.—*G. R. No.* 4113, *Oct.* 5, 1876.

27. **Dismissal.**—Great caution is to be used in recommending dismissal, since dismissal from the service of Government, especially where the individual has been long in that service, and therefore probably unfitted for procuring a livelihood by any other means, is a punishment of great severity and since it tends greatly to weaken the influence of heads of offices when their decisions are not approved by superior authority. In cases, however, of well-proved fraud or misconduct, no consideration should be shown to length of service, and no commisseration for the destitute condition of the party should be allowed to save him from removal from office.

Though dismissals may not require the sanction of Government, the privilege of appeal to Government in such cases has never been withheld.—*G. R. No.* 3876, *Dec.* 29, 1842, *and No.* 793, *Feb.* 25, 1867.

In order that a dismissed servant of Government may be able to exercise his right of appeal, it is obviously necessary that the charge against him, his defence, and the order thereon, should be reduced to writing. In the case of public servants who are dismissed in

consequence of facts or inferences elicited at a judicial trial, or in the case of persons who abscond with an accusation over their heads, this procedure may be unnecessary or impossible. But in all other cases of the dismissal of public servants, the charge against a public servant should be reduced to writing, his defence should be either taken in, or reduced to, writing, and the decision on such defence should also be in writing. In many cases (such for instance as that of a clerk at an outlying tahsil station) the officer who passes the order of dismissal may not be able to make the enquiry himself, and the proceedings leading to dismissal would be conducted by the superior officer on the spot. The record of such charge, defence and decision would then furnish sufficient information for, and should be submitted to, the superior officer or the Government to whom the dismissed servant may prefer an appeal.—*G. of I. No.* 37—1389-1404, *July* 29, 1879;—*vide also paras.* 4 *to* 9 *of Despatch No.* 42 *of* 1851, *from the Court of Directors*.

In *all* cases of dismissal, the dismissing authority should always record in English, under his own handwriting, a statement showing briefly but clearly the charges brought against the official, the evidence supporting those charges, the motives which are supposed to have influenced him, and the opinion of the dismissing authority on each charge.—*G. R. No.* 1549, *May* 9, 1883.

28. **Allowances during suspension.**—I.—Saving as provided in Rule III. (ii), the salary of an officer who is dismissed, ceases absolutely from the date of his dismissal: no allowances may be granted to him for any period occupied in his prosecution of appeals against the order dismissing him.

II.—Saving as provided in Rule III. (ii), an officer suspended from office as a penalty for misconduct, is entitled to no salary while he is absent from duty.

III.—Subject to the proviso that without the permission of the Local Government, no expenditure in excess of what would have taken place if the officer had remained on duty, may be incurred—

(i) Subsistence allowance, at a rate not exceeding one-quarter of his salary, may be granted by the authority suspending him, to an officer removed from office pending enquiry into his alleged misconduct: Provided that, if the officer is a European, his subsistence allowance should not commonly

be less than Rs. 25 a month : if his salary be less than Rs. 100 a month, the rate may be increased accordingly.

NOTE.—The subsistence allowance is authorised as a matter of grace only, and cannot be claimed as of right.

(ii) If the suspension of an officer as a penalty for misconduct is, upon reconsideration or appeal, held to have been unjustifiable, or not wholly justifiable, or if an officer dismissed from office or suspended pending enquiry into his alleged misconduct is, after enquiry, or upon reconsideration or appeal, reinstated, then the revising or appellate authority may grant to the officer, for the period of his absence from duty—

(1) if the officer is honourably acquitted,—full salary ;

(2) otherwise,—such portion of his salary as to the revising or appellate authority may seem expedient.—*G. of I. No.* 2550-1541, *August* 22, 1878.

29. **Retirement.**—Fifty-five is the age fixed for the retirement of uncovenanted servants of Government, but no one is to be obliged to apply for pension under this rule unless the head of the office is satisfied of his unfitness for further duty, and no officer can claim to retire on the ground of being 55 years of age.

This rule is not to be worked so as to force efficient officers to retire prematurely from the service, thereby increasing the charge for pensions.

It does not apply to peons, menials, and other servants, but does apply to all clerks and writers, without limitation as to salary, provided their appointments are of the nature of civil appointments. Heads of departments are to submit superannuation statements a short time before the officers attain the age of fifty-five. They should contain in all cases the opinion of the head of the department or office in which the superannuated officer is serving, as to his qualifications for retention in Government service.—*G. of I. No.* 2931, *June* 15, 1871 ; *G. R. No.* 2473, *Aug.* 12, 1874 ; *No.* 7183, *Dec.* 6, 1876 ; *and No.* 7029, *Nov.* 23, 1877.

30. The head of the department or office in which an officer whose age is approaching 55 years is employed, should submit, through the Accountant-General, proposals regarding the officer's retention or non-retention in the Government service at least three months before the age of 55 years is attained. These orders should be held to apply to gazetted as well as to non-gazetted officers.—*G. R. No.* 2122, *March* 31, 1882.

31. The Government of India have repeatedly sought to mitigate the hardship which is occasioned to an officer retiring from the service, by delay in the settlement of his pension or gratuity; and in order that this object may be more completely secured, heads of offices should be instructed to observe more carefully, than heretofore, the rules in the Civil Pension Code, regarding the preparation and submission of applications.—*G. of I. No.* 3475, *Nov.* 4, 1880.

32. **Re-employment.**—The medical certificate prescribed in rule 2 under section 102 of the Civil Pension Code is not necessary on the re-employment of an officer who was brought under reduction and received a compensation pension or gratuity; but the certificate in question is necessary in the case of the re-employment of an officer who has regained health after obtaining an invalid pension.—*G. of I. No.* 1216, *May* 20, 1882.

33. **Pecuniary affairs.**—The fact of officers being in involved and embarrassed circumstances will be considered, in the absence of satisfactory explanation as to the origin of such embarrassments, a strong objection to their advancement to offices of trust and responsibility.—*G. R. No.* 956, *March* 27, 1854.

34. Civil Servants taking the benefit of the Insolvent Act are to be suspended, and brought to the notice of the Home Government.—*G. R. No.* 123, *Sept.* 15, 1854.

35. As a general rule, an uncovenanted servant taking the benefit of the Insolvent Act is to be dismissed the service, unless he can show that his insolvency was produced from causes over which he had no control.

Each case is to be reported to Government for orders, with a full statement of the circumstances that have led to the insolvent's embarrassments, and the opinion of the head of the office or department whether any relaxation of the rule should be granted.—*G. of I. No.* 106, *Jan.* 12, 1856; *and G. R. No.* 1323, *March* 13, 1877.

36. Every uncovenanted servant applying for the protection of the Insolvent Court is liable to be dismissed from the service of Government. Whether the dismissal should actually take place or not will depend on the particular circumstances of each case, which should therefore be always fully and carefully reported on.—*G. R. No.* 896, *March* 30, 1880.

37. The above orders do not apply to menial servants, piece-work compositors, and section writers.—*G. Rs. Nos.* 3256, *Sep.* 29, 1881; 2301, *June* 20; *and* 2557, *July* 8, 1882.

38. Public officers are not to borrow money from natives residing within their official jurisdiction. Sowcars, shroffs, and money-lenders of every denomination, are held by Government to be included among those natives with whom the civil officers of Government are not to have any pecuniary transactions; and the penalty of dismissal from their situations will be enforced on officers of the revenue, as well as the judicial branch of the service, who may offend against the provisions of this clause.—*G. R. No.* 956, *March* 27, 1844.

39. Borrowing money from, or on the security of, subordinates is strictly prohibited on pain of dismissal.—*G. R. No.* 394, *Feb.* 4, 1863.

40. Sales, purchases, and transfers between the civil and military servants of Government on the one hand, and foreign princes or chiefs, and natives of rank and opulence residing under the protection of the British Government, on the other, of every description of property exceeding the value of Rs. 5,000, are prohibited unless the sanction of Government has been previously obtained, and no Government officer is to communicate with any such Prince or Chief except through the Political Agent.—*G. of I. Oct.* 31, 1841.

41. I.—Whenever a public servant wishes to dispose of a house, bungalow, elephant, horse or carriage, or other valuable property, to any native within his jurisdiction, or within the limits of the district in which he is employed on the public service, and from which he is not about to remove, he must report his intention to the Local Government to which he is subordinate, stating the facts and circumstances and the price offered for the article to be sold. The Local Government will then pass such orders on the reference as may seem fit and proper.

II.—Whenever a public servant is about to quit his station or district permanently, or for a considerable period, and wishes to dispose of his house, bungalow, elephant, carriages, and horses and the like property of value, to native purchasers, he shall report his intention to the Commissioner or the head local authority to which he may be immediately subordinate, and that authority will use its

discretion in allowing the transaction, or in reporting the circumstance to the Local Government for further orders.

III.—Whenever a public servant, on quitting his station or district, wishes to dispose of his furniture, household goods, live-stock, &c., he is at full liberty to do so either by circulating lists of such property amongst the community generally, or by having the same put up to public auction, without reference to any authority whatever. All that is necessary is that the transaction should be open and patent to every body on the spot.

IV.—Rule No. I. is to be considered applicable to purchases equally with sales.—*G. of I. No.* 1437, *Sep.* 23, 1881.

The above rules are not applicable to *bonâ fide* transactions with regular dealers.—*G. of I. No.* 53, *Jan.* 1882.

42. **Native Civil Servants.**—As regards trading and lending or borrowing money, there is no sufficient reason why members of the Native Civil Service should be placed under different rules from Covenanted Civil Servants generally. The rules, therefore, upon these subjects which at present apply to members of the Covenanted Civil Service should be held to apply also to Natives of India appointed to the Civil Service under the provisions of 33 Vic., Cap. III., Section 6.

2. As regards the holding of land, the case is different, inasmuch as members of the Native Civil Service do, at the present time, in some cases, hold land in the Provinces in which they are employed, and it appears unnecessary to require them to divest themselves of such land or to prevent them from acquiring additional landed property, provided that certain restrictions are observed. In these respects, the rules at present applicable to members of the Covenanted Civil Service may, in the opinion of the Government of India, properly be relaxed in the case of members of the Native Civil Service, who should be permitted to hold any lands actually in their possession when they enter the service of Government, or which may come into their possession thereafter by inheritance, gift, or devise, provided that full information in respect of such lands is given to the Local Government, which will consider in each case whether the fact of an officer holding any particular lands need be a bar to his employment in the district where these are situated. No fresh *purchase* of land should, however, be allowed on the part of a member of the Native Civil Service without the

previous sanction of the Local Government under which he is serving.—*G. of I. No.* 1198, *April* 3, 1882.

The meaning which is intended to attach to the word "gift" used in the above Resolution is indicated by the context, which relates to inheritance and devise. But care is necessary in order to prevent its being read in a wider sense than is warranted by the language of the Resolution when properly construed.—*Sec. of State No.* 68, *June* 8, 1882.

43. **Corruption.**—All persons either directly or indirectly concerned in the corrupt receipt of money, or in divulging the secrets of Government, or in the clandestine communication of official documents, or being even cognizant of such practices without bringing them to the notice of their superiors, are to be dismissed from office, and their re-employment in any branch of the public service prohibited. When legal evidence can be obtained, criminal prosecution should be had recourse to.—*Court of Directors with G. R. No.* 3778, *Aug.* 28, 1852.

In all cases of entries of the names of Government servants in accounts as receivers of bribes, inquiries should at once be made as to the probability of other proof being forthcoming. To this end it will not be necessary that the persons whose names are entered should be called on for explanation, until some probability of obtaining proof appears.—*Govt. Letter No.* 8783, *Nov.* 30, 1850.

44. **Salary of a Deceased Officer.**—The Governor-General in Council authorises the payment to the heirs of a deceased officer of the salary due to him to the extent of Rs. 200 in each case, after such enquiry into the rights and titles of the claimants as the Collector or other officer responsible for the payment may deem sufficient. Any excess over that amount may be paid only to the person duly authorized to receive assets belonging to the estate of the deceased.—*G. of I. No.* 67, *April* 20, 1881.

45. **Presents.**—The main provisions of the law on the subject of presents are contained in 13 George III., chapter 63, sections 23, 24; 33 George III., chapter 52, sections 62, 63; 3 and 4 William IV., chapter 85, section 76.*

* No person holding or exercising any civil or military office under the Crown, or the said United Company, in the East Indies, shall accept, receive or take, directly or indirectly, by himself, or any other person or persons on his behalf or for his use or benefit, of and from any of the Indian princes or

The prohibition of the receipt of presents from native chiefs and others does not extend to the receipt of a few flowers or fruits, and articles of inappreciable value, although even such trifling presents should be discouraged.

It does not extend to the exchange of presents between Governors, Lieutenant-Governors, Chief Commissioners, Agents to the Governor-General or political officers generally, in their ceremonial intercourse with native chiefs, on which occasions the presents from the chiefs are deposited in the Government Toshakhana, and return presents are given at the Government expense.

It does not apply to presents to medical officers made *bonâ fide* for services rendered.

The general prohibition extends to all servants of Government, Native or European, covenanted or uncovenanted, in whatsoever department they may be serving.

Where presents cannot absolutely be refused without giving offence they must be delivered up to Government, and to this rule no exception whatsoever is permissible save with the express sanction of the Governor-General in Council, which will only be given under very special circumstances.

The above rules are to be strictly observed, and no deviation therefrom permitted, except with the previous sanction of the Government of India.—*G. of I. No.* 1299-*G, June* 20, 1876.

46. **Drunkenness.**—Whenever any officer appointed by Government causes a scandal by public inebriety or otherwise, his case is to be reported for the orders of Government, and not disposed of departmentally.—*G. R. No.* 3379, *Sept.* 4, 1868.

47. **Certificates.**—All Civil officers, especially those in the junior grades of the service, are to exercise great caution in granting certificates of good conduct to subordinates, and no certificate is to be granted unless previously numbered and registered in the office in which the person granting it is serving. Whenever any officer under a Collector thinks proper to give any of his subordinates a certificate, it is to be drawn in the form of a letter to the

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powers, or their ministers or agents, or any of the natives of Asia, any present, gift, donation, gratuity, or reward, pecuniary or otherwise, upon any account, or on any pretence whatsoever, or any promise or engagement for any present, gift, donation, gratuity, or reward. 13 Geo. III., Cap. 63, § 24. 33 Geo. III., Cap. 52, §§ 62, 63 make the receipt of any such gift extortion and a misdemeanour.

Collector, who, if he approves of it, is to register and record it, and grant a copy to the person concerned.

In giving certificates to their subordinates, all public officers are to be careful to state the whole truth in respect of character and cause of dismissal, or resignation of office, as omission to do so may be injurious to the interests of the service.—*G. R. No.* 1806, *April* 22, 1845, *and G. of I. No.* 3204, *Oct.* 17, 1873.

48. **Rewards.**—Whenever a reward is proposed to be given to a Government officer, the nature of the case, and the particulars of his conduct in it, should be especially detailed, in order that it may be seen whether he is entitled, by any other extra exertion beyond what is required in the ordinary discharge of his duty, to such favour.—*Govt. Letter No.* 3891, *Nov.* 6, 1844.

49. Government will not prohibit its servants from receiving rewards as informers (under Act III. of 1846, III. of 1852, &c.): the granting or withholding of it must be determined by the merits of each case, and left to the discretion of the officer who inflicts the fine.—*G. R. No.* 1682, *April* 6, 1870.

50. **Correspondence.**—Attention should be paid by all officers to the necessity of economizing weight as much as possible in correspondence sent by post. All letters despatched on the same day by any officer to the same address are to be put into one envelope when possible.—*G. R. No.* 24, *Jan.* 5, 1870, *and No.* 61, *July* 19, 1855.

51. All officers will be held personally responsible for the safe custody and proper application of service postage stamps entrusted to them.—*G. R. No.* 6663, *Dec.* 17, 1874, *and No.* 1445, *March* 6, 1877.

52. All letters sent to Government or to the Accountant-General are to be docketed with the title of the despatching officer, the date, number, and subject, the latter being expressed as concisely as possible.—*G. R. No.* 11088, *Nov.* 20, 1851, *and No.* 2554, *Aug.* 20, 1874.

53. As a rule, demi-official letters on official business passing between public officers should be recorded.—*G. R. No.* 3957, *Dec.* 11, 1843.

54. Official letters may be franked either by the head of the office himself, or by the Superintendent, Head Clerk, or other

responsible officer to whom the duty of despatching is entrusted. The officer who signs the cover must enter in full his own official designation.—*Postal Rules.*

55. Officers in charge of offices cannot refuse official letters because they are unfranked or insufficiently paid, but are to receive the letters and pay the postage, and charge the amount paid in their contingent bill, appending a certificate of the payment made.—*G. R. No.* 2172, *Feb.* 27, 1866, *and No.* 2534, *Oct.* 20, 1870.

56. Every private letter which may come in a public cover is to be sent to the post office. Any one who is detected in attempting to evade the payment of postage dues, by the introduction of private letters into the public correspondence, will be dismissed from his employment.—*Calcutta Gazette, Jan.* 15, 1834.

57. The use of Government paper and service stamps for correspondence of a personal nature, *e.g.* petitions, applications for appointments, requests for transfer, enquiries about title to leave, &c., is prohibited.—*G. R. No.* 792, *Mar.* 3, 1882.

58. Heads of departments are prohibited from transferring their own responsibilities to subordinates by signing papers, &c., without having personally examined them.—*G. R. April* 8, 1834.

59. Heads of offices should keep a list of periodical reports and returns by them, and see that they are regularly despatched. It is the desire of Government to trouble executive officers as little as possible with references, but when they are made prompt attention to them must be insisted on.—*G. R. No.* 4283A, *Oct.* 5, 1869.

60. Controlling officers and heads of offices must be the best judges as to who among their subordinates is likely to give a useful opinion on a particular question. Great waste of time is often caused by the indiscriminate manner in which opinions are called for. —*G. R. No.* 4476, *Nov.* 25, 1872.

61. Public officers are not to address demi-official communications to the Legislative Department of the Government of India, or to Members of the Council of the Governor-General, on the subject of Bills pending before that Council, but should submit their remarks through the Local Government under which they serve.—*G. R. No.* 872, *May* 9, 1868.

62. **Correspondence.**—The use of vernacular terms which are generally unintelligible beyond the province in which they are current is to be avoided as much as possible. This particularly

applies to writings intended to go beyond the Local Government.—*G. R. No.* 3944, *Dec.* 31, 1873.

63. Whenever it is considered desirable to make use of vernacular terms in reports to the Secretary of State, their English equivalents should also be given.—*Sec. of State No.* 48, *Dec.* 23, 1880.

64. **Confidential Correspondence.**—I.—Confidential papers should not pass in usual course through an office. Only the head of the office and a few trustworthy clerks (whose names are to be noted) should deal with them.

II.—Confidential papers should pass from hand to hand either by personal delivery, or be sent in sealed covers.

III.—The entries in the ordinary office registers and diaries should be made from slips furnished by the confidential clerk who deals with the papers, and should be very general, sufficient merely to admit of the paper being traced, and referring to a separate register. This separate register should be kept by the confidential clerk, and should be in the same form and as full as the general register kept for ordinary correspondence.

IV.—Confidential papers should not be brought on the ordinary proceedings, but should be separately recorded, and kept under the personal custody of the confidential clerk. If printed, the spare copies and the volumes of proceedings should be treated with the same attention as the originals, and when forwarded for the information or use of Government, should be sent carefully packed under double cover.

V.—As few copies of confidential papers as possible should be printed and a register should be kept of these showing how each copy has been disposed of.

VI.—When confidential papers are sent out of an office they should be put into double covers, the inner one being marked *Confidential* and superscribed with only the name of the addressee, and the outer one bearing the usual official address.—*G. R. No.* 1001, *March* 18, 1882.

65. **Telegrams.**—The telegraph is an extraordinary means of communication, which is not intended to be used in the transaction of public business except on urgent and important occasions, and when the saving of time effected by the telegraph is of real importance to the public interest.—*G. of I. No.* 941, *June* 18, 1864.

66. Officers sending telegrams regarding leave, pay, appointment or promotion, or other matters of a private character, must pay for them, unless it is perfectly clear that the interest of the public service will be injuriously affected unless the message in question is sent by telegraph.—*G. of I. No.* 418, *April* 30, 1868.

67. **Printing.**—Officers who have printing done at the Central Press are to take great care not to detain proof sheets, which except in rare cases should always be returned in two or three days after receipt.

All officers are to be as sparing as possible in the use of tabular statements when sending reports to be printed.

An allowance for petty printing has been made to Collectors and others, and no charge should, without obtaining the previous sanction of Government, be incurred on account of out-door work, except such as can be met from this allowance.—*G. R. No.* 601, *Feb.* 24, 1874, *and No.* 3901, *Dec.* 9, 1876.

68. All printed documents are to bear the date of their despatch and not that on which they were sent in manuscript to the press.—*G. R. No.* 2668, *May* 10, 1873.

69. The number and bulk of tabular statements attached to reports which are to be printed are to be curtailed as much as possible to save printing charges.—*G. R. No.* 2861, *Aug.* 14, 1873.

70. **Estimates.**—It is the duty of officers when submitting estimates for the sanction of Government to satisfy themselves that their proposals are reasonable, and will not impose on Government any charge which is not actually necessary.—*G. R. No.* 618, *Feb.* 20, 1882.

71. **Petitions.**—Petitions should always, as far as possible, be received and heard in public. Where this rule is strictly attended to, and petitions are heard and answered without delay, it is scarcely possible for discontented persons to succeed in procuring credence for their misrepresentations. Without these precautions there is hardly anything that may not be misrepresented.—*Rev. Com. Jan.* 12, 1831.

72. When a case has been disposed of by a European officer, the decision is not to be communicated through the Mamlatdar or other native official signed or worded by the latter only. A native officer may, intentionally or unintentionally, alter the purport of a decision when conveying it to a petitioner, and insert in it

expressions which the European officer would avoid if the order were issued by himself. Replies to petitioners may, however, if necessary, be sent through the district-officers, open, that they may know the purport of the decision; but they should always be worded and signed by the officer from whom they proceed. It may sometimes be expedient—for instance, in dealing with a well-known litigious person, or where the assigning of reasons might implicate Government—simply to record a direct negative to the petition; but as a rule petitioners should be briefly informed of the grounds on which the refusal of their petition is based.—*G. R. No.* 3731, *Sept.* 14, 1847; *G. R. No.* 238, *Jan.* 13, 1881.

73. Anonymous petitions are to be disregarded, and when there is good reason to believe that the signature is not the petitioner's, or that the petition was not authorized by him, these facts should first be inquired into before any inquiries are made on the subject-matter of the petition.—*G. R. No.* 2641, *June* 7, 1845.

74. In reporting on petitions, it should in the first place be distinctly stated whether all the petitioner's assertions of matters of fact are correct or not; if any are untrue, the true should be distinctly separated from the false. It is the duty of the Collector to report on the different allegations of petitioners.—*G. R. No.* 6571, *Sept.* 2, 1850; *G. R. No.* 5878, *Oct.* 8, 1881.

75. When petitions referred for report require elucidation before they can be reported on, the reporting officer should obtain the required explanation from the petitioners, and not report in an incomplete form.—*G. R. No.* 7468, *Nov.* 17, 1852.

76. When petitions of precisely the same nature are referred for report about the same time, the reporting officer should submit a full and particular report on the first petition sent, and merely refer to it in noticing the others.—*G. R. May* 26, 1831.

77. As a rule, superior officers should inform their subordinates of the reasons which prevent them from supporting their applications. But cases may occur in which it is impossible to comply with requests from subordinates for such information.—*G. R. No.* 516, *Feb.* 15, 1864.

78. In every order affecting the rights or property of an individual, that individual is entitled to demand that the grounds on which the order is based should be explained to him.—*G. R. No.* 607, *Feb.* 10, 1857.

[*Note.*—The rules for petitions to Government will be found in Part V.]

79. **Payments.**—Heads of offices will be held personally responsible for all payments which may be made by them irregularly or without sufficient authority, if it should prove impossible to recover the payments from the persons who have improperly received them.—*G. R. No.* 1644, *Dec.* 7, 1869.

80. It is to be clearly understood that both as to the past and in the future, personal pecuniary responsibility will be strictly enforced as regards *all* disbursements by all public officers.—*G. R. No.* 428, *Jan.* 25, 1879.

81. No money is to be paid in England on account of the public service in India, whether from Imperial, Provincial or Local Funds, except through the Secretary of State. Remittances to England on the public service are invariably to be made through the Government of India.—*G. R. No.* 4375, *Dec.* 15, 1873.

82. **Contingencies.**—In all branches of the public service, contingencies are to be kept at the lowest rate of expenditure at all times, and only the actual necessary outlay should be charged irrespective of any higher sum which it may have been usual to provide in the estimates.—*G. of I. Aug.* 18, 1864.

83. **Purchases.**—Public officers are to exercise more than ordinary care when making purchases for Government, and where there has been a want of reasonable care in such transactions personal responsibility will be enforced.—*G. R. No.* 16, *Jan.* 8, 1873.

84. Government officers are not to bid at auctions on behalf of Government, even with the object of recovering Government dues, without the special sanction of Government. This does not apply to sales of land and occupancy rights for arrears of revenue.—*G. R. No.* 3719, *June* 27, *and No.* 4666, *Aug.* 16, 1876.

85. Clocks, cushions for clerks' chairs, and matting for Government bungalows occupied by officials are among the things the purchase of which is prohibited.—*G. R. No.* 3445, *Oct.* 26; *No.* 3601, *Nov.* 5; *and No.* 3730, *Nov.* 18, 1875.

86. The employment of peons in procuring bazaar supplies, or of any public servant in making purchases, or in any private matter in which the receipt or expenditure of money is concerned, is strictly prohibited, and any breach of this order will be severely dealt with.

It is not intended to prevent officers from employing public servants to procure carriage or necessary supplies while travelling on duty, though in these cases constant vigilance is necessary to prevent cheating and extortion.—*G. of I. No.* 121, *Jan.* 16, *and No.* 897, *May* 22, 1873.

87. Officers when travelling in the Districts ought not to leave a camping ground until they have satisfied themselves that all bills have been paid, and no cause for subsequent discussion exists.—*G. R. No.* 7175, *Nov.* 28, 1881.

88. **Impressment of Carts.**—The following regulations shall be observed as an executive order of Government:—

(*a*) That the rate of cart-hire be fixed by order of the Commissioners of Divisions per mile, as kos vary greatly: that there be a minimum charge for engaging a cart at all, and a minimum rate for a cart kept a whole day;

(*b*) That no cart be carried beyond 20 miles, or thereabouts, from the place of hiring;

(*c*) That a list of all carts in a village be kept by the patel, and a list of the number of carts in each village by the Mámlatdár;

(*d*) That requisitions by public officers for carts be made on the patel, or where a large number are needed, (as when troops are marching,) on the Mámlatdárs, and be met in strict rotation of individuals and of villages;

(*e*) That no person's cart be taken in a village other than his own, unless he offers it for hire;

(*f*) That no cart in use on any public road be taken for the use of public officers travelling.

2. The minimum hire should be 1 rupee if a cart is used for any distance, however short.

3. Batta for detention should be paid at the following rates: if a cart is detained unused more than half a day—1 rupee. If a cart is detained unused half a day or less and then dismissed—8 annas.

4. Government also desire that a record shall be kept by every officer using carts thus obtained, in which the number of carts used, the distance they travel, and the sum certified by him to have been paid to each shall be stated.

5. Officers below the rank of Assistant or Deputy Collector, Assistant Superintendent of Survey, or Executive Engineer, should be furnished with a written order from their official superiors for obtaining transport by requisition.

These rules are issued to regulate the requisition (rule *d*) by public officers for carts on patels and mámlatdárs. They do not preclude officers from obtaining carts by free contract, where that is feasible and convenient.—*G. R. No.* 5521, *Sep.* 23, 1881; *No.* 6524, *Nov.* 2, 1881.

89. The following extracts from the rules as to obtaining European or American stores and books, newspapers, &c., seem sufficient for general reference:—

European Articles other than Books, Newspapers, &c.

"3. All European articles other than books, newspapers, &c., shall be obtained by indent upon the Secretary of State, and, save as hereinafter provided, must not be bought in India or obtained direct from Europe independently of the India Office.

"4. European articles procurable in the local market, which can be purchased after inspection and paid for on delivery, may be bought in India, with the previous sanction of the Government of India or the Local Government, as the case may be:—

1*st*.—When it would be economical to do so.

2*nd*.—When stores indented for from England have not arrived and inconvenience to the public service is anticipated from any delay in the supply.

3*rd*.—When they are perishable articles.

"5. The utmost encouragement, consistent with true economy, should be given to the supply, by the local market, of articles hitherto manufactured in, and obtained from, Europe; and, where articles of European and Indian manufacture do not differ materially in price or quality articles of local manufacture or of indigenous origin should be substituted for European articles.

It is most desirable to bear in mind the distinction between articles of European manufacture and articles produced or worked up in India from imported material; the former should not, save in exceptional cases, be purchased in the local market, while the latter should by preference be purchased locally whenever the quality is sufficiently good, and the price not higher than the cost of laying down the imported article. There are many articles which may not

be immediately obtained in the local market, but which can be made in the event of Government encouraging the manufacture.

Books, Newspapers, &c.

"12. Books, maps, and newspapers or other periodicals published in Europe or America, whether required for Imperial, Provincial or Local Service, shall be procured independently of the India Office, either through local firms or by direct orders to Agents or Publishers.

"13. For official publications, other than Parliamentary papers, whether periodical or not, requisition should be forwarded by the Department and Local Governments and Administrations requiring them for their own use and for the use of the officers subordinate to them direct to the address of the Assistant Under-Secretary of State for India; the service to which the cost is chargeable, and if Imperial the head of account of grant to which it is chargeable being specified in the requisition.

* * * *

"16. The Government do not undertake to supply books and newspapers indiscriminately; and supplies must be confined to what is found actually necessary for the public service. Books for the Educational Department should be obtained under the rules and usage of the several Local Governments concerned. Purchase of other works should be confined strictly to those books, principally of reference, which are of obvious practical necessity to the office for which the books may be bought for the furtherance of the public service, independently of the desire of officers for improvement on subjects connected with their duties. Purchases of other than hand-books, manuals, practical guides and the like would be rarely, if ever, for executive officers, but mainly for officers charged, among other duties, with important deliberative duties of advising Government on special or important subjects.

"17. All books and periodicals procured for any office should be registered or filed, and must not be permanently removed from the office for which they were intended."—*G. of I. No.* 3574, *Nov.* 3, 1880.

When complaints are made of the quality of supplies, it is desirable that samples of the articles complained of should be also

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G. of I. No. 1923, July 22; No. 2070, July 29; No. 2203, Aug. 5; No. 2341, Aug. 12; No. 2301, Aug. 12; No. 2777, Sep. 1; No. 3220, Sep. 28; (Preamble to G. R. No. 3845, Oct. 15,) No. 3398, Oct. 7; No. 3780, Oct. 21, 1881; No. 724, Feb. 6, and No. 1065, Feb. 21, 1882. The last but one of these Resolutions directs that the use of Morrell's registration ink shall be discontinued, and that Stephen's blue-black and black ink shall be issued only in small quantities for a few high functionaries. *Vide* also G. R. No. 595 of Feb. 13, 1883, which consolidates the orders on the subject.

Rubber seals may be purchased from private manufacturers.—*G. R. No* 5015, *Dec.* 27, 1882.

The seals should last for at least 5 years.—*G. R. No.* 2635, *July* 20, 1883.

(26) Local purchases are allowed in the following cases :—

I.—Books of reference, urgently wanted for a particular occasion of adequate importance, but which cannot be obtained for that occasion from any other Government office, may, with the sanction of any heads of departments, or other authorities, to whom the Local Governments may delegate this power, be bought in India.

II.—With the sanction of the Local Government, second-hand books may be bought in India when they can be got for less than the English publishing price.

These orders do not apply to independent and non-official corporations, such as Port Fund Commissioners or Municipalities, but that they do apply to all other local bodies.—*G. of I. No.* 721, *June* 3, 1873.

90. **Purchases.**—Books published in India not by Government and not supplied gratis are to be bought only with the previous sanction of Government, the Commissioners, the Survey Commissioner, the Director of Public Instruction, or the Chief Engineer for Irrigation in their several departments.—*G. G. Notif. Aug.* 23, 1876.

91. *Rules regarding the purchase of articles of dead stock by the disbursing and controlling officers* :—

1. Articles of office furniture required for a newly created office should in each and every case receive the sanction of Government in the Financial Department for the first time.

2. Articles of office furniture required to replace the old ones should be purchased by a disbursing officer, provided the value of each of the articles does not exceed rupees thirty, and due provision for the same has been made in the budget for the year in which the charge is required to be incurred.

3. For articles required for the above-mentioned purpose the sanction of the controlling officer should be obtained if the value of each of the articles exceeds rupees thirty, and the controlling officer can sanction the same to the extent of rupees fifty, provided there is budget provision for the same.

4. Articles of office furniture required in addition to those already purchased at the time the office was newly created can be purchased and sanctioned by disbursing and controlling officers respectively under the conditions laid down in Rules 2 and 3.

5. Ordinary articles of office furniture should comprise the following articles:—

Chairs.
Chests for records.
Desks.
Presses.
Tables.
Gongs.
Hour-glasses.
Inkstands, brass, for the Vernacular Department when not supplied from the petty supply allowance.
Measuring chains.
Jajums and cushions for the Vernacular Department.
Desk covers if not supplied by the Superintendent of Stationery.
Lamps, brass, for ditto.
Padlocks.
Scales for Huzur and District kacheris.
Shelves for records.
Screens (bambu checks).
Treasure chests.

6. Officers who have no controlling officers can purchase articles of dead stock provided the value of each of the articles does not exceed rupees fifty and a due provision for the same has been made in the budget for the year in which the articles are required to be purchased.

7. Articles supplied under special rules or of unusual character such as those mentioned below, should not be purchased without the previous sanction of Government :—

Punches, as per Government Resolution No. 2829, dated 15th May 1879.

Mattings, the cost of which cannot be met from the office petty supply allowance, as per Government Resolution No. 3976, dated 2nd November 1878, Financial Department.

Clocks, as per Government Resolution No. 4407, dated 27th October 1876, Financial Department.

Iron Safes.

Chubbs' locks.

8. If articles of any description are required to be purchased in the absence of due provision in the budget, the sanction of Government should previously be obtained.

9. Jajums and desk covers should last 5 and 7 years respectively.—*G. R.* 2270, *July* 2, 1879.

92. **Newspapers.**—No officer is to subscribe at the public expense to any newspaper or other periodical without the particular sanction in each case of the Local Government.—*G. of I. No.* 2359, *Aug.* 30, 1872.

93. I.—No officer in the service of Government is permitted, without the previous sanction in writing of the Government under which he immediately serves, to become the proprietor, either in whole or in part, of any newspaper or periodical publication, or to edit or manage any such newspaper or publication. Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character, such for instance as art, science, or literature. The sanction will be liable to be withdrawn at the discretion of the Government.

II.—Officers in the service of Government are not prohibited from contributing to the public press; but their position makes it incumbent upon them to confine themselves within the limits of temperate and reasonable discussion, and they are prohibited from making public without the previous sanction of Government any documents, papers, or information of which they may become possessed in their official capacity. Those rules have been hitherto in most cases honourably observed. In case of a departure from them, or if the Government should consider the connexion of any officer

with the press to be contrary to the public interests, his liberty to contribute will be withdrawn.

III.—The Government of India will decide, in case of doubt, whether any engagements of officers with the press are consistent with the discharge of their duties to the Government.

IV.—Nothing in this Resolution is intended to relax the provisions of any regulations on this subject which now apply to the Army.—*G. of I. Notif., July* 8, 1874.

94. **Management of Companies, &c.**—All servants of Government are strictly prohibited from taking any part in the management of banks in India, or from being connected with banks or trading companies except as simple shareholders. No exception is made in favour of the Presidency Banks.—*G. of I. No.* 462, *May* 28, 1852, *and Sec. of State No.* 239, *May* 6, 1875.

95. "In May 1862 the Secretary of State recorded his decision that although, as a general rule, he saw no objection to the servants of Government holding shares in joint stock companies having for their object the development of the resources of the country, still it was necessary to impose the restriction that public servants should take no part in the management of such institutions, and should *not be employed within the districts where the operations of the company might be carried on.*

The Secretary of State likewise concurred in the view held by Sir George Clerk, that supersession in promotion was the proper and practicable course for enforcing the orders of Government in this respect."—*G. R. No.* 2005, *May* 27, 1864.

96. In despatch to the Secretary of State, No. 3, dated 8th August 1864, the Government of Bombay referred for orders the case of the * * * * * * * who, while on furlough in India, became one of the editors of the * * * newspaper; and in paragraph 8 of that despatch they expressed the opinion that there was no sufficient reason for excluding any occupations in which Government servants might engage while on furlough within the limits of lawful and respectable employments, excepting those likely to cause engagements extending beyond the duration of the furlough, and those which lead to new relations with Government independent of, and liable to be inconsistent with, the relations between Government and

its paid officers. These principles appear to us to be sound.—*G. of I. No.* 41, *July* 8, 1882.

97. All public servants, whether they be Covenanted or Uncovenanted, are alike prohibited from taking part in the management of Companies.

This prohibition is none the less applicable to a public servant because he happens to be on furlough, for the fact of an officer's being on furlough does not appear substantially to diminish the serious objections which exist to his engaging in the management of a Company.—*Sec. of State No.* 99, *Sept.* 7, 1882.

Uncovenanted officers are prohibited from becoming members of a Bank's Board of Directors.—*G. of I. No.* 1-32, *Jan.* 11, 1883.

98. **Landed property.**—The possession of land by officers of Government is not objected to, provided they are not engaged in the management of it, but it is to be distinctly understood that the possession of landed property disqualifies the possessor from exercising any civil authority in the district in which his lands are situated. This concession must not, however, be considered to interfere in any degree with the right of Government to refuse or withdraw, at its discretion, the permission to hold lands in any case in which it shall see reason to apprehend that the possession of land by any party would be detrimental to the public interests.—*Court of Directors, June* 21, 1843. (*Vide para.* 42-2-*supra.*)

99. **Work for private persons.**—Public officers are prohibited from transacting business for private persons, whether with or without remuneration, unless the sanction of Government shall have been first obtained. They are not to assist parties in preparing petitions, memorials, or representations on official matters. A plea of ignorance of this rule will not be admitted as an excuse. —*Notif. Sept.* 23, 1843; *Jan.* 4, 1865; *Govt. Gazette, Aug.* 14, 1873.

100. **Deposit money.**—No officer in any department is to receive deposit money (from contractors, &c.) without at once bringing it to credit in whatever accounts he may keep, or if he keeps none, without paying it, with a statement of its nature, into the treasury to which his cash transactions would naturally be subordinate.—*G. R. No.* 2402, *Aug.* 14, 1872.

No public officer who is supplied with funds from the public treasury, or who in the exercise of his duty receives money on the part of Government, either in deposit or as revenue, shall open an account with a Bank in respect of such funds or money without the previous consent of the officer to whose audit he is subject.—*G. of I. No.* 3727, *Oct.* 21, 1881.

101. **Cheques.**—Cheques drawn by public officers may be made payable to bearer when issued to persons not in Government employ who may desire it; but cheques in favour of Government officers should be made payable to order only.—*G. of I. No.* 2121, *March* 29, 1873.

102. **Investment.**—No money shall be removed from any public treasury for investment without sanction of the Government of India; but this does not apply to dispensary funds.—*G. of I. No.* 2055, *July* 25, 1877, *and No.* 680, *Feb.* 4, 1878.

103. **Promissory Notes.**—When Government promissory notes are tendered as security by contractors or others they should be sent to the public debt office for renewal if there is any doubt about the regularity of the endorsement.—*G. of I. No.* 1477, *June* 19, 1877.

A question having been raised as to whether Stock Notes are to be received as collateral security from contractors in the same way as ordinary Government Promissory Notes are received, the Governor-General in Council is pleased to decide that there shall be no distinction between the two classes of notes so far as security deposits are concerned. As, however, the interest on Stock Notes is payable to bearer and the notes are transferable without endorsement, His Excellency in Council considers that they should always, if possible, be lodged in Government Treasuries for safe custody when tendered as security to any officer of Government.—*G. of I. No.* 3352, *Aug.* 24, 1882.

104. **Addresses.**—With the exception of medical officers who have been allowed by the Secretary of State to receive addresses with the permission of Government previously accorded, no public officer holding an appointment made or confirmed by Government, or by any officer subordinate to Government, may, under any circumstances, receive an address of any kind whatever, whether

oral or written, congratulatory, valedictory, or otherwise.—*G. R. No.* 167, *Jan.* 17, 1874.

The Governor-General in Council does not consider it desirable to make any general exception to the standing rule in respect of addresses presented to an officer of Government by persons unconnected with the province to which he may belong.

The propriety of receiving an address after retirement from the service of Government must depend largely on the particular circumstances of each case. For instance, it is obvious that, when the presentation of the address immediately succeeds retirement, and is intended as an acknowledgment of acts performed by the recipient whilst in the public service, the spirit of the existing rule is contravened; and, therefore, the presentation of addresses under such circumstances should be discouraged. On the other hand, it would be clearly impossible for the Government to impose any general prohibition on the receipt of addresses by officials who had permanently severed their connection with the Government service. —*G. of I. No.* 1224, *Aug.* 27, 1881.

105. **Dress.**—All natives wearing boots or shoes of European fashion may appear in them in all kutcherries, and before all the servants of Government, and are not to be obliged to remove them. This applies to all official or semi-official occasions, including durbars of all descriptions. When they wear shoes of Indian fashion, the old social practice of removing them within the customary limits is to be preserved on all occasions.—*G. of I. with G. R. No.* 722, *April* 20, 1868.

106. **Native Christians.**—In all returns, judicial proceedings, &c., native Christians are to be recorded as such, and no reference to be made to their former caste.—*G. of I. No.* 43—2738, *Aug.* 25, 1873.

107. **Holidays.**—[The public holidays of the year are published in the *Government Gazette*]. In some districts holidays not included in the published list are held to be more important than some therein allowed: in such cases there can be no objection to the head of the office allowing an exchange, provided the total number of holidays given does not exceed that sanctioned by Government.—*G. R. July* 9, 1858.

108. **Change of Names.**—Heads of departments may, in future, on sufficient cause being shown, sanction change of names in the case of non-gazetted officers, sending an intimation of the fact to the Accountant-General. Cases of gazetted officers should be submitted for the sanction of Government.—*G. R. No.* 2536, *July* 13, 1882.

109. **Time.**—Madras time shall be kept in all offices under the control of Government and shall be held to be the official time for all purposes.—*G. R. No.* 3724, *Nov.* 8, 1881.

(This order has been cancelled as regards the Town of Bombay.—Ed.)